

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CYWEE GROUP LTD.,

11 Plaintiff,

12 v.

13 HTC CORPORATION, et al.,

14 Defendants/Third-Party Plaintiffs,

15 v.

16 STMICROELECTRONICS N.V., et
17 al.,

18 Third-Party Defendants.

CASE NO. C17-0932JLR

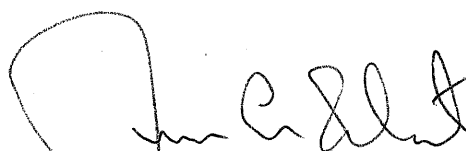
ORDER AFFIRMING
AMENDMENT TO
SCHEDULING ORDER

19 Before the court are Defendants and Third-Party Plaintiffs HTC Corporation and
20 HTC America, Inc.'s (collectively, "HTC") motion to amend the scheduling order. (Mot.
21 (Dkt. # 68).) Plaintiff CyWee Group Ltd. ("CyWee") opposes the motion. (Resp. (Dkt.
22 # 74).) The court has reviewed both parties' pleadings, the relevant portions of the

1 record, and the applicable law. Being fully advised, the court GRANTS HTC's motion to
2 amend and REAFFIRMS the amended scheduling order entered on April 10, 2018. (*See*
3 Am. Sched. Order (Dkt. # 73).)

4 The Federal Rules of Civil Procedure provide that a schedule may be modified
5 only for good cause and with the court's consent. Fed. R. Civ. P. 16(b)(4). Here, HTC
6 has established good cause, namely that it will be unable to effectuate service on
7 third-party defendants located overseas until several of the previously set deadlines have
8 passed. (Mot. at 1-3.) Although CyWee contends that HTC has not been diligent (*see*
9 Resp. at 3-5), the court does not find that HTC has been careless in bringing its
10 third-party claims or in attempting to serve the international parties. Because the court
11 finds that HTC cannot reasonably meet the previous pretrial schedule despite its
12 diligence, the court finds good cause to modify the scheduling order. The court,
13 therefore, GRANTS HTC's request to amend the scheduling order (Dkt. # 68). The new
14 deadlines, as proposed by HTC, can be found at docket entry # 73.

15 Dated this th19 day of April, 2018.

16 
17 JAMES L. ROBART
18 United States District Judge
19
20
21
22